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MEMORANDUM

OFFICE OF ENGINEERING AND TECHNOLOGY

Federal Communications Commission
Office of Secretary

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*Manage the spectrum
and provide technical leadership
to create new opportunities
for competitive technologies and services
for the American public.
— Mission Statement —*

Date: June 4, 1996

To: Secretary, FCC

From: Robert F. Cleveland, Office of Engineering & Technology

Subject: Ex Parte Submission
ET Docket 93-62
"Guidelines for Evaluating the Environmental Effects of Radiofrequency
Radiation"

The enclosed letter from Dr. John M. Osepchuk, dated May 31, 1996, is relevant to the above-referenced docket on FCC adoption of radiofrequency radiation exposure guidelines (ET Docket 93-62). Please place this memorandum and the enclosed letter from Dr. Osepchuk in the record of this proceeding as an ex parte filing. Three copies are enclosed for your convenience.

Enclosure (letter)

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3

Full Spectrum Consulting

ELECTROMAGNETIC ENERGY

EX PARTE OR LATE FILED

May 31, 1996

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Dr. Robert F. Cleveland, Jr.
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Federal Communications Commission
2000 M Street, NW
Washington, D. C. 20554

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Federal Communications Commission
Office of Secretary

Dear Bob:

I am in receipt of a letter from Don Justesen to you dated 23 May 1996. In this letter Don refers to an "unsigned letter" on SCC28 letterhead directed to your office (according to his understanding.) He then proceeds to criticize the "letter" and its "clandestine" nature. The purpose of this letter is to set the record straight on this matter. The following explanation was given verbally to Don on May 21 per a phone call. Unfortunately, the explanation is not expressed or referenced in his later letter to you.

The so-called "letter" was not a letter and it was not "clandestine".

In fact, the material in question was a handout for meetings with staff of the FCC Commissioners and the FCC staff arranged by the CTIA on March 11, 1996. Per the request of CTIA, I had sent information about SCC28, including its letterhead, earlier. In preparation for the meetings on March 11 I was asked to prepare a new discussion for use as a handout at the meetings. This consisted of two pages comparing the IEEE SCC28 vs. NCRP with regard to their characteristics as standards developing organizations for RF energy, including provision for providing clarifications, interpretations and supplements to users. In addition there was a title page entitled "Outline of Reasons why the FCC should adopt ANSI/IEEE C95.1-1992 as proposed in NPRM Docket No. 93 -62.

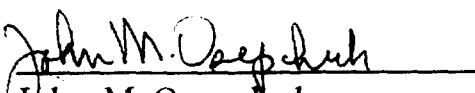
This was copied on to a copy of the SCC28 letterhead. (It had been planned to supply the letterhead separately.) The material was duplicated at CTIA and made available for the meetings on March 11. Because of the rushed last-minute assembly of this material this oversight was not corrected.

At the meetings on March 11, in addition to Mr. Lukish and others from the CTIA there were present with me Ron Petersen and for the morning meetings with staff of Commissioners Quello and Barrett, both Eleanor Adair and C. K. Chou were present. They were not present at the afternoon meetings with staff of Commissioners Hundt, Chong and Ness or the meeting with the FCC (OET) staff which included you.

At all these meetings I personally introduced those present who were connected with SCC 28 and each time stated that we were present as individuals and not representing the IEEE or SCC28. I pointed out each time that this disclaimer was a requirement by the IEEE. The handout, described above, was handed out at each meeting. It was never represented to those present as a "letter" or an official filing of anybody, including the IEEE.

The handout material described above was apparently entered into the Docket File without explanation. Please attach this letter to such material in the file from that handout. This will make clear the origins and nature of this material. They do not represent the IEEE or any entity within IEEE.

Sincerely,


John M. Osepchuk

cc: Dr. Justesen
Prof. O. P. Gandhi
Dr. J. D'Andrea
SCC28 EXCOM
A. Salem, Director, IEEE Standards Activities
B. Fontes (CTIA)
FCC:
R. Baca (Staff, Commissioner Quello)
Lisa Smith, (Staff, Commissioner Barrett)
J. Charney (Staff, Chairman, Hundt)
Suzanne Toller (Staff, Commissioner Chong)
David Siddall (Staff, Commissioner Ness)